

Obama backs attack on encrypted communication

By Evan Blake
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Speaking at the music, film and tech festival South by Southwest (SXSW) in Austin, Texas on Friday, US President Barack Obama delivered his most open comments yet backing the attack on encryption and the FBI's ongoing lawsuit with Apple.

The high-profile legal case centers on the ability of the FBI, NSA and other state surveillance agencies to get “backdoor” access to encrypted cell phone data. On February 16, a California federal court judge granted a Justice Department request for an order requiring Apple to write new software that can bypass the iPhone's security features.

While the FBI initially claimed that the software would be used solely to crack the phone of Syed Rizwan Farook, one of the attackers in last December's mass shooting in San Bernardino, the aim is to set a precedent that would justify the wholesale nullification of encryption.

The development of anti-encryption technology will destroy one of the last remaining privacy protections for the global population, whose use spiked following the 2013 Edward Snowden revelations of mass NSA spying on the entire planet's communications. Apple—one of the major collaborators in PRISM and other NSA spying programs—has argued that its compliance with the order will set an illegal and unconstitutional precedent for the government to unlock any individual's phone.

Obama presented his views on privacy before an audience of roughly 2,100 technology executives and enthusiasts at the close of an interview with Evan Smith, the editor-in-chief of *The Texas Tribune*.

While posturing as impartial in the “privacy versus security debate,” Obama clearly expressed the dominant view held by state officials that the public has no right to privacy and that Apple and the other tech

companies should fold in their dispute over encryption.

Throughout his comments, Obama sought to minimize the extreme demands being made by the FBI, which threaten to eliminate encryption capabilities. At various points, he loosely compared the cracking of digital encryption to such commonplace privacy infringements as the issuing of a home search warrant, airport security checks, tax collecting methods and road blocks for drunk driving tests, while moralizing against “fetishizing our phones above every other value.”

Obama began by falsely juxtaposing the FBI's demand for anti-encryption software to a standard home search conducted with a warrant. He continued this specious line of reasoning by comparing encrypted cell phones to Swiss bank accounts, saying, “And the question we now have to ask is, if technologically, it is possible to make an impenetrable device or system where the encryption is so strong that there's no key, there's no door at all, then how do we apprehend the child pornographer? How do we solve or disrupt a terrorist plot? What mechanisms do we have available to even do simple things like tax enforcement? Because, if, in fact, you can't crack that at all, government can't get in, then everybody is walking around with a Swiss bank account in their pocket—right? So there has to be some concession to the need to be able to get into that information somehow.”

This is simply a statement that the government has to have access to all communications, rendering the purpose of encryption null and void.

Regarding the likelihood that this anti-encryption software could be used universally to unlock all encrypted cell phones, Obama feigned ignorance, declaring, “That is a technical question. I'm not a software engineer. It is, I think, technically true, but I think it can be overstated.”

Concluding his remarks, Obama postured as being “way on the civil liberties side of this thing,” before saying, “I anguish a lot over the decisions we make in terms of how to keep this country safe, and I am not interested in overthrowing the values that have made us an exceptional and great nation simply for expediency. But the dangers are real. Maintaining law and order and a civilized society is important. Protecting our kids is important. And so I would just caution against taking an absolutist perspective on this.”

In an effort to erode widespread suspicion of the security apparatus, Obama flatly lied about the significance of the Snowden revelations, declaring, “the Snowden issue vastly overstated the dangers to U.S. citizens in terms of spying, because the fact of the matter is, is that actually our intelligence agencies are pretty scrupulous about US persons, people on US soil. What those disclosures did identify were accesses overseas with respect to people who are not in this country. A lot of those have been fixed.”

With his remarks in Austin, Obama has sought to manipulate public opinion to enable Congress to enact long-planned legislation that will require technology companies to install “backdoors” to allow the government universal access to encrypted data. His administration declined to pursue such legislation last fall, but renewed it through the legal system and Congress in the wake of the San Bernardino attacks.

In his remarks, Obama noted that his administration has “engaged the tech community aggressively to help solve this problem.”

These comments represent a continuation of those made earlier this year to tech executives in Silicon Valley, at which Obama urged the tech leaders to “work together to combat terrorism and counter violent extremism online,” according to an official White House statement.

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